

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALEXANDRA A. SMITH,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 3:19-cv-01074-GCS
)	
COMMISSIONER of SOCIAL SECURITY,)	
)	
Defendant.)	

ORDER for ATTORNEY'S FEES

SISON, Magistrate Judge:

This matter is before the Court on Plaintiff's First Motion for Attorney Fees and Defendant's Motion for Attorney Fees. (Doc. 32 & 35). Plaintiff has consented to both the amount and method of payment requested in Defendant's motion. (Doc. 35). As outlined in Defendant's motion, the parties agree that Plaintiff is entitled to attorney fees and expenses in the amount of \$6,000 and costs in the amount of \$400. (Doc. 35).

The Court finds that Plaintiff is the prevailing party and is entitled to an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d)(1)(B). The Court further finds that the agreed upon amount is reasonable and appropriate. This award shall fully and completely satisfy any and all claims for fees and expenses that may have been payable to Plaintiff in this matter pursuant to the EAJA. Per the parties' agreement, any fees paid belong to Plaintiff. (Doc. 35). *See also Astrue v. Ratliff*, 560 U.S. 586, 594 (2010)(stating "that EAJA fees are payable to litigants"). The award may then be offset to satisfy any pre-existing debt that Plaintiff owes the United States. (Doc.

35). *See also Harrington v. Berryhill*, 906 F.3d 561, 566 (7th Cir. 2018)(holding “that a reduction of a litigant’s prior debts to the government by administrative offset constitutes payment to the prevailing party under [the] EAJA.”). After entry of the award, if Defendant verifies that Plaintiff does not owe such a debt, Defendant will direct payment of the award to Plaintiff’s attorney pursuant to their EAJA assignment. (Doc. 35).

Defendant’s Motion for Attorney Fees (**Doc. 35**) is **GRANTED**. The Court awards Plaintiff attorney’s fees, expenses, and costs in the total amount of \$6,400 (six thousand, four hundred dollars).

IT IS SO ORDERED.

DATE: December 14, 2020.

Gilbert C. Sison



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by Judge Sison 2
Date: 2020.12.14
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GILBERT C. SISON
United States Magistrate Judge